S.B. CIVIL WRIT PETITION No. 7049/2005.
(Rajendra Singh Bhati Vs. State of Raj. and Ors.)

DATE OF ORDER : 14.11.2007.

HON'BLE DR.JUSTICE VINEET KOTHARI

Mr. P.S. Bhati, for the petitioner.
Mr. SS Ladrecha, G.A., for respondents.

1. The only grievance raised in this petition by the petitioner is that the respondents, authorities of the Public Health and Engineering Department should sanction PSP No.3 (Public Service Pump) at the site of Hariyasar Ghadsotan (Revenue Boundary Village Bhojrajsar of Tehsil- Sardarsahar, Distt. Churu) under `Apni Yojna' Scheme.

2. The said prayer is opposed by the learned counsel for the State on the ground that the said PSP (water outlet) for public cannot be provided at the said site as the same does not fall within the norms of the state scheme.

3. In the alternative, the petitioner who is running Vinayak Fuel Filling Station, a petrol pump, near the said site submits that he may also like to have his own independent water connection at his own cost for which the respondent should supply him the estimate and provide such connection at

prevalent charges as may be applicable for such commercial connection.

4. Having heard the learned counsel, this writ petition is disposed of with the direction to the respondent authorities to consider the representation of the petitioner for providing PSP No.3 at the site in question and if they consider it in the public interest to provide such PSP at the said site, the respondents may do so. However, if it is not found appropriate, the concerned authority; namely Superintending Engineer-III-PMC, PHED, Churu -respondent No.3 should pass a speaking and reasoned order for the same after giving opportunity of hearing to the petitioner. In the alternative, if the petitioner applies for connection at his own cost paying commercial charges, the said authority will also consider the said request of the petitioner and pass appropriate order thereon.

5. With these observations, the writ petition is disposed of. No order as to costs.

(Dr.VINEET KOTHARI)J.

Sr.No.21
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